

**SUPREME COURT MINUTES
TUESDAY, SEPTEMBER 20, 2011
SAN FRANCISCO, CALIFORNIA**

S099770**PEOPLE v. COOPER (LEON
CHAUNCEY)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Karen Hamilton's representation that she anticipates filing the appellant's reply brief by September 14, 2012, counsel's request for an extension of time in which to file that brief is granted to November 15, 2011. After that date, only five further extensions totaling about 300 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S130524**PEOPLE v. GOVIN
(VIRENDRA)**

Extension of time granted

Good cause appearing, and based upon counsel Mark D. Lenenberg's representation that he anticipates filing the appellant's opening brief by March 2012, counsel's request for an extension of time in which to file that brief is granted to November 18, 2011. After that date, only two further extensions totaling about 120 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S138052**PEOPLE v. MATAELE
(TUPOUTOE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 21, 2011.

S139702**PEOPLE v. BRACAMONTES
(MANUEL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 22, 2011.

S187710**YOUNG (WESLEY) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to November 18, 2011.

S190730**HOUSTON (ERIC
CHRISTOPHER) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Julie A. Hokans's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by December 19, 2011, counsel's request for an extension of time in which to file that document is granted to November 21, 2011. After that date, only one further extension totaling about 30 additional days is contemplated.

S191948**JOHN DOE v. HARRIS
(KAMALA D.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 14, 2011.

S193938

D056619 Fourth Appellate District, Div. 1

**PEOPLE v. PARK (AARON
SUNG-UK)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 24, 2011.

S040703**PEOPLE v. ROBINSON, JR.,
(JAMES)**

Counsel appointment order filed

The order appointing Michael G. Millman, as Executive Director of the California Appellate Project in San Francisco, to serve as interim habeas corpus/executive clemency counsel of record for condemned inmate James Robinson, Jr., filed September 17, 2009, is hereby vacated. On the court's own motion, Thomas V. Loran III is hereby appointed to represent condemned inmate James Robinson, Jr., for habeas corpus/executive clemency proceedings related to the above automatic appeal now final in this court.

S194385

G042555 Fourth Appellate District, Div. 3

**PEOPLE v. TAUCH
(JOHNNY)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Christopher Allan Nalls is hereby appointed to represent appellant on the appeal now pending in this court.

S156555 B195121/B195370 Second Appellate District, Div. 1 **HARRIS (FRANCES) v. S.C.
(LIBERTY MUTUAL
INSURANCE COMPANY)**

Request for judicial notice granted

Plaintiffs' request for judicial notice is granted.

The request for judicial notice by California Employment Lawyers Association is granted with respect to the U.S. Department of Labor Wage and Hour Division opinion letters dating from March 14, 1967 to February 8, 2007; the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division letter to Farmers Insurance Group dated February 4, 1994, and the opinion letters of the California Department of Industrial Relations, Division of Labor Standards Enforcement. The request is denied in all other respects.

The request for judicial notice filed by the Association of California Insurance Companies, et al. is granted.

The request for judicial notice filed by the Employers Group is granted.

The request for judicial notice filed by Progressive Insurance Company (Progressive) on July 10, 2008 is granted with respect to the U.S. Department of Labor Wage and Hour Division opinion letters dating from October 24, 1957 to November 19, 2002. The request is denied in all other respects.

Progressive's request for judicial notice filed on August 27, 2008, is granted.

S192644

A124392 First Appellate District, Div. 4

**PEOPLE v. BELTRAN (TARE
NICHOLAS)**

Order filed

The application filed by respondent for permission to file the opening brief on the merits in excess of 14,000 words is hereby granted.

S194780**BORGERSON ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ERIC MICHAEL BORGERSON, State Bar Number 177943, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

ERIC MICHAEL BORGERSON must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194784**BRIDI ON DISCIPLINE**

Recommended discipline imposed

The court orders that GHASSAN G. BRIDI, State Bar Number 188070, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. GHASSAN G. BRIDI is suspended from the practice of law for a minimum of the first year of probation, and he will remain suspended until the following requirements are satisfied:
 - i. He makes restitution to Maria L. Parra in the amount of \$3,000 plus 10 percent interest per year from January 1, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Maria L. Parra, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - ii. He makes restitution to Randolph R. Meyer in the amount of \$1,500 plus 10 percent interest per year from February 1, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Randolph R. Meyer, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - iii. He makes restitution to Terry Danuser in the amount of \$1,750 plus 10 percent interest per year from February 16, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Terry Danuser, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - iv. He makes restitution to Peter and Renee Fillmore in the amount of \$2,500 plus 10 percent interest per year from March 9, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Peter or Renee Fillmore, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - v. He makes restitution to James A. and Janet A. Clausman in the amount of \$3,000 plus 10 percent interest per year from April 5, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to James A. or Janet A. Clausman, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - vi. He makes restitution to Jose Sanchez in the amount of \$1,850 plus 10 percent interest per year from June 7, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Jose Sanchez, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - vii. He makes restitution to Nancy Fairbanks in the amount of \$973 plus 10 percent

interest per year from June 28, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Nancy Fairbanks, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;

- viii. He makes restitution to Arturo Sequeira in the amount of \$1,500 plus 10 percent interest per year from September 1, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Arturo Sequeira, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - ix. He makes restitution to Dianna Walter in the amount of \$2,500 plus 10 percent interest per year from September 17, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Dianna Walter, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
 - x. If he remains suspended for two years or more as a result of not satisfying the preceding conditions, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
- 2. GHASSAN G. BRIDI must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 2, 2011.
 - 3. At the expiration of the period of probation, if GHASSAN G. BRIDI has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

GHASSAN G. BRIDI must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

GHASSAN G. BRIDI must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194788**FREEMAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MARILYN KAYE FREEMAN, State Bar Number 119058, is summarily disbarred from the practice of law and that her name is stricken from the roll of attorneys.

MARILYN KAYE FREEMAN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194789**JONES ON DISCIPLINE**

Recommended discipline imposed

The court orders that GARRY LAWRENCE JONES, State Bar Number 66344, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. GARRY LAWRENCE JONES is suspended from the practice of law for the first 45 days of probation;
2. GARRY LAWRENCE JONES must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 2, 2011; and
3. At the expiration of the period of probation, if GARRY LAWRENCE JONES has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

GARRY LAWRENCE JONES must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2012 and 2013. If GARRY LAWRENCE JONES fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194792**LEVINE ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARC RUSSELL LEVINE, State Bar Number 113671, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. MARC RUSSELL LEVINE is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until the following requirement is satisfied:
 - i. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. MARC RUSSELL LEVINE must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 19, 2011.
3. At the expiration of the period of probation, if MARC RUSSELL LEVINE has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARC RUSSELL LEVINE must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

MARC RUSSELL LEVINE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2012, 2013, and 2014. If MARC RUSSELL LEVINE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194806**PINTAL ON DISCIPLINE**

Recommended discipline imposed

The court orders that RICHARD FRANK PINTAL, State Bar Number 152727, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. RICHARD FRANK PINTAL is suspended from the practice of law for the first five months of probation;
2. RICHARD FRANK PINTAL must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on

June 3, 2011; and

3. At the expiration of the period of probation, if RICHARD FRANK PINTAL has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

RICHARD FRANK PINTAL must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

RICHARD FRANK PINTAL must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194818

STATEN ON DISCIPLINE

Recommended discipline imposed: disbarred

The court orders that JACQUELINE STATEN, State Bar Number 175733, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

JACQUELINE STATEN must make restitution as recommended by the Hearing Department of the State Bar Court in its Decision filed on December 21, 2010. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

JACQUELINE STATEN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194819

STEPHENS ON DISCIPLINE

Recommended discipline imposed

The court orders that JAMES WADE STEPHENS, State Bar Number 194788, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, subject to the following conditions:

1. JAMES WADE STEPHENS is suspended from the practice of law for a minimum of 90 days, and he will remain suspended until the following requirements are satisfied:
 - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding

condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

2. JAMES WADE STEPHENS must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

JAMES WADE STEPHENS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

JAMES WADE STEPHENS must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194823**VALLONE ON DISCIPLINE**

Recommended discipline imposed

The court orders that PAUL ERNEST VALLONE, State Bar Number 168395, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. PAUL ERNEST VALLONE is suspended from the practice of law for the first 30 days of probation;
2. PAUL ERNEST VALLONE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 11, 2011.; and
3. At the expiration of the period of probation, if PAUL ERNEST VALLONE has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

PAUL ERNEST VALLONE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-fifth of the costs must be paid with membership fees for each of the years 2012, 2013, 2014, 2015, and 2016. If PAUL ERNEST VALLONE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 993)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)